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IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

EXAMINER	
IBRAHIM, MOHAMED	

ART UNIT	PAPER NUMBER
2144	

NOTIFICATION DATE	DELIVERY MODE
07/11/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com

Office Action Summary	Application No.	Applicant(s)	
	10/631,056	BAVARIA ET AL.	
	Examiner	Art Unit	
	MOHAMED IBRAHIM	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 21-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 21-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Amendment

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-5, 7, 9-11, 13, 15-17 and19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kartoz, U. S. Patent No. 7024547.

Regarding claim 1, Kartoz discloses a method in a data processing system for identifying device configurations (see e.g. col. 2 lines 7-33; discovering and initializing device within a computer system during the booting), the method comprising: identifying unique identification information for a set of devices in the data processing system to form identified unique identification information (see e.g. col. 4 lines 17-43; memory devices has an associated reference identification data which is unique to each particular device); comparing the identified unique identification information with previously identified unique identification information (see e.g. col. 3 line 66-col. 4 line 16 and col. 4 lines 56-64; when the computer is booted it does a device discovery step which checks to ascertain or determine whether or not the configuration of the memory devices have changed using the reference identification data acquired during the previous boot); moving configuration data to a memory for devices in the set of devices

in which a match exists between the identified unique identification information and the previously identified unique identification information for devices (see e.g. col. 4 line64-col. 5 line 4; if the if the reference identification data of the device match, the system uses the reference initialization data to initialize the device); and obtaining configuration information from a device in which configuration information is absent in the memory after configuration data has been moved to the memory for the devices to form a current set of configuration data for the set of devices (see e.g. col. 4 lines 17-32 and col. 5 lines 5-9; when it is determined that the configuration has changed, a device discovery and initialization procedure is performed to obtain the reference data uniquely associated with that particular device), wherein the previously identified unique identification information is accessed using a table associated with the configuration data for the set of devices, wherein the table comprises (i) an index used to locate particular configuration data for a particular device, (ii) information used to address the particular device, and (iii) an offset to a memory location within the particular device at which particular unique identifier information for a particular device is stored (see e.g. fig. 9A and col. 4 lines 44-55; The figure shows a reference table that is associated with configuration data and is used to determine whether the unique identification reference data has been changed).

Regarding claim 3, Kartoz discloses wherein the unique identification information is a unique device identifier (see e.g. col. 4 lines 37-38).

Regarding claim 4, Kartoz discloses wherein the current configuration data for the set of devices is stored in a set of files (see e.g. col. 5 lines 50-61).

Regarding claim 5, Kartoz discloses wherein the unique identification information is identified by reading the unique identification information from the set of devices (see e.g. col. 6 lines 4-9).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kartoz in view of Zintel, U. S. Patent No. 6779004.

Regarding claims 2, Kartoz discloses the invention substantially as claimed. Kartoz does not explicitly disclose storing unique device identifiers in a random access memory (RAM). However, Zintel discloses system for auto-configuring of peripherals that stores unique device identifier in random access memory (see e.g. col. 44 lines 2-7 and col. 45 lines 49-54). At the time of the invention it would have been obvious to a person of ordinary skill in the art to store the reference unique identification of a device found in Kartoz using Random Access Memory (RAM). Motivation for doing so would have been obvious for the fact that RAM give computer the ability to find and go directly to the

particular storage location without having to search sequentially from the beginning location. Especially it is useful in the initial program load in operating systems as it expedites the finding of configuration files of the connected devices.

5. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kartoz in view of Zintel and Further in view of Krejsa, U. S. Application No. 2004/0107329 A1. Although combination of Kartoz-Zintel disclose the invention substantially as claimed, they do not explicitly disclose indexing of memory table and dividing the memory into different regions. Krejsa teaches a system for partitioning memory into different regions and having index field corresponding to pluralities of entries in the initialization table (see e.g. paragraphs [0004], [0020], [0022] [0024] and [0032]). At the time of the invention it would have been obvious to a person of ordinary skills in the art to combine the teachings of Kartoz-Zintel with that of Krejsa. Motivation for doing so would have been to easily distinguish and organize the configuration data stored in the memory by the regions associated and their index number.

6. Claims 21-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kartoz in view of Garney, U. S. Patent No. 5854905.

7. Regarding claim 21, although Kartoz discloses the invention substantially as claimed, it does not explicitly disclose identification of devices that are connected to plurality of different buses.

Garney teaches a system for managing boot-up and initialization process of plurality of devices that are connected to multiple different buses (see e.g. fig. 3, col. 2 lines 21-35 and col. 6 lines 16-32). At the time of the invention it would have been obvious to person of ordinary skill in the art to combine the teachings of Garney with that of Kartoz. Motivation for doing so would have to make the system of Kartoz more efficient by extending the device initialization from a single bus to multiple buses.

Regarding claim 22, Kartoz-Garney teaches wherein one device of the set of devices contains, in addition to unique identifier information for the one device, identifying information for locating another device of the set of devices within the data process system (see col. 12 lines 36-58).

Regarding claim 23, Kartoz-Garney teaches wherein the data processing system comprises a plurality of different buses and wherein the identifying information comprises a bus identifier and an address identifier of where the another device is accessible in the data processing system (see col. 6 line 56-col. 7 line 14).

Regarding claim 24, Kartoz-Garney teaches wherein the memory is a volatile memory and wherein the configuration data is moved from a non-volatile memory to a volatile memory (see e.g. col. 3 lines 44-67).

Regarding claim 25, Kartoz-Garney teaches wherein the current set of configuration data is moved to the non-volatile memory from the volatile memory after being obtained (see e.g. col. 4 lines 28-48).

Regarding claim 26, Kartoz-Garney teaches wherein identifying step is performed by an embedded processor of the data processing system while a plurality of processors of the data processing system are powered-off (see e.g. col. 6 lines 43-55).

Regarding claim 27, Kartoz-Garney teaches wherein the obtaining step is initiated by the embedded processor during an initial program load of the data processing system (see e.g. col. 4 lines 61-67).

Response to Arguments

8. Applicant's arguments filed 04/07/2008 have been fully considered but they are not persuasive.

9. Applicant argues, in substance, that the reference table of Kartoz does disclose the elements found in the instant table as claimed.

10. In response to Applicant's argument, indeed the reference table of Kartoz, among other things, discloses a reference data uniquely associated with the memory device, it carries out initialization process using the unique identification reference to see if the configuration of the memory device has changed and lastly it stores the initialization data along with reference identification data (see e.g. fig. 9A and col. 4 line

44-col. 5 line 4). Additionally, there is no structural difference between the claimed initialization table and the initialization table of Kartoz. The only visible difference is the intended use of the table and what sort of data it stores. Ironically, both the Kartoz reference and claimed invention uses the stored data in the table to configure and initialize hardware device. Therefore, the Kartoz still meets the scope of the claim limitation as present claimed.

11. Applicant's arguments with respect to claims 21-27 have been considered but are moot in view of the new ground(s) of rejection.

Again, it is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art. As it is Applicant's right to continue to claim as broadly as possible their invention. It is also the Examiner's right to continue to interpret the claim language as broadly as reasonably possible. It is the Examiner's position that the detailed functionality that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique. It is advised that, in order to further expedite the prosecution of the application in response to this action, Applicant should amend the base claims to describe in more narrow detail the true distinguishing features of Applicant's claim invention.

Applicant has had an opportunity to amend the claimed subject matter, and has failed to modify the claim language to distinguish over the prior art of record by clarifying or substantially narrowing the claim language. Thus, Applicant apparently intends that a broad interpretation be given to the claims and the Examiner has adopted such in the

present and previous Office action rejections. See In re Prater and Wei, 162 USPQ 541 (CCPA 1969), and MPEP 2111.

Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response, and reiterates the need for the Applicant to more clearly and distinctly define the claimed invention.

Prior Art of Record

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a list of relevant prior art.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMED IBRAHIM whose telephone number is (571)270-1132. The examiner can normally be reached on Monday through Friday from 7:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn, Jr. can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MI/
/John Follansbee/
Supervisory Patent Examiner, Art Unit 2151